

EXHIBIT F

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<p style="text-align: right;">Page 114</p> <p>1 this in private.</p> <p>2 THE WITNESS: Yes, because I just need to</p> <p>3 take this phone.</p> <p>4 THE VIDEOGRAPHER: Going off the record at</p> <p>5 6:37.</p> <p>6 (Exhibit No. 5 marked for identification.)</p> <p>7 (Short recess taken.)</p> <p>8 THE VIDEOGRAPHER: Going on the record at</p> <p>9 6:38.</p> <p>10 MR. ROCHON: Just for the record, so it was</p> <p>11 about a one-minute break.</p> <p>12 MR. WISTOW: Okay.</p> <p>13 MR. ROCHON: Thank you.</p> <p>14 Q. I take it you're familiar with the document that</p> <p>15 I just handed you, Exhibit 5?</p> <p>16 A. Yes.</p> <p>17 Q. And do you know what that is?</p> <p>18 (Witness peruses document.)</p> <p>19 A. Yes. It's a declaration that I made.</p> <p>20 Q. Right. Do you remember signing it?</p> <p>21 A. Just give me a second while I just --</p> <p>22 (Witness peruses document.)</p> <p>23 A. Yes. That's my signature on it.</p> <p>24 Q. No, no. I'm not asking if it's your signature.</p> <p>25 I hope it is. I'm asking if you remember signing it.</p>	<p style="text-align: right;">Page 116</p> <p>1 and he's being told not to answer, correct?</p> <p>2 MR. ROCHON: But only because, counsel, I</p> <p>3 know the answer, and it would implicate privilege</p> <p>4 because it could not be yes or no. And you don't --</p> <p>5 MR. WISTOW: Sure, it could be. It could be</p> <p>6 an assistant prepared it. It doesn't --</p> <p>7 First of all, there's no privilege even if</p> <p>8 it was you. And second of all, saying he didn't prepare</p> <p>9 it doesn't mean necessarily a lawyer did.</p> <p>10 But I don't want to fight. I don't want to</p> <p>11 waste time. I'll live with the instruction at this</p> <p>12 point.</p> <p>13 Q. All right. Did you understand the declaration</p> <p>14 when you signed it?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. I'm going to ask you some questions about</p> <p>17 it. I'm going to go to page 2.</p> <p>18 And you'll see, on the second line, it begins, On</p> <p>19 June 18, 2005, I accordingly sent a letter to Secretary</p> <p>20 of State Rice requesting her assistance in these cases</p> <p>21 "consistent with the Constitution and laws of the United</p> <p>22 States."</p> <p>23 I emphasized in my letter that the attempt by</p> <p>24 Plaintiffs' counsel to interfere with the actions of the</p> <p>25 Palestinian government around the world was "not</p>
<p style="text-align: right;">Page 115</p> <p>1 A. Yes. I remember the document. Yes.</p> <p>2 Q. Okay. I take it you didn't prepare the document?</p> <p>3 A. Pardon?</p> <p>4 Q. Did you prepare the document?</p> <p>5 MR. ROCHON: Objection. We're going to get</p> <p>6 into privileged areas.</p> <p>7 MR. WISTOW: How can it be privileged. All</p> <p>8 I'm asking him is -- I'm looking at all the information.</p> <p>9 I'm just asking who prepared it.</p> <p>10 Q. I assume your lawyer prepared it?</p> <p>11 MR. ROCHON: Objection. Don't answer the</p> <p>12 question.</p> <p>13 MR. WISTOW: Okay.</p> <p>14 Q. Did you prepare this declaration?</p> <p>15 A. Isn't that the same question you asked before?</p> <p>16 Q. I don't think so.</p> <p>17 MR. ROCHON: Counsel, the declaration speaks</p> <p>18 for itself. The preparation of it --</p> <p>19 MR. WISTOW: Whatever you say. Just</p> <p>20 instruct him not to answer. I don't care.</p> <p>21 MR. ROCHON: Because it intrudes on matters</p> <p>22 of privilege, and only for that reason, I'm instructing</p> <p>23 the witness not to answer.</p> <p>24 MR. WISTOW: Okay. So I just want to be</p> <p>25 clear. The question is did you prepare the declaration,</p>	<p style="text-align: right;">Page 117</p> <p>1 supported by United States law and also ran counter to</p> <p>2 international law and the laws of several foreign states</p> <p>3 in which the PNA operates."</p> <p>4 Have I read that correctly?</p> <p>5 A. Yes, you have.</p> <p>6 Q. Okay. Now, what laws were you referring -- what</p> <p>7 was the basis for your statement that the attempts by</p> <p>8 Plaintiffs' counsel to interfere with the actions of the</p> <p>9 Palestinian government was not supported by United</p> <p>10 States law?</p> <p>11 What knowledge did you have at the time?</p> <p>12 MR. ROCHON: Mr. Prime Minister -- I didn't</p> <p>13 want to interrupt your question -- I would object and</p> <p>14 tell you that it's the same privilege, attorney-client</p> <p>15 privilege -- not with my law firm, but with counsel to</p> <p>16 the Pension Fund -- upon whose behalf the letter was</p> <p>17 being written.</p> <p>18 MR. WISTOW: I just want it to be clear on</p> <p>19 the record what we're talking about.</p> <p>20 There's a letter, June 18, 2005, where he</p> <p>21 says that the Plaintiffs' efforts to interfere was "not</p> <p>22 supported by United States law."</p> <p>23 MR. ROCHON: Yes.</p> <p>24 MR. WISTOW: I'm just asking what knowledge</p> <p>25 he had with regard to that statement.</p>

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<p style="text-align: right;">Page 118</p> <p>1 MR. ROCHON: Okay.</p> <p>2 MR. WISTOW: If you want -- I just want to</p> <p>3 make that clear.</p> <p>4 MR. ROCHON: I understand.</p> <p>5 MR. WISTOW: If he's got any basis to</p> <p>6 support the statement whatever.</p> <p>7 MR. ROCHON: Because the answer would be</p> <p>8 premised on advice of counsel, I'm going to instruct the</p> <p>9 witness not to answer.</p> <p>10 MR. WISTOW: He could say I don't know.</p> <p>11 MR. ROCHON: He could say many things.</p> <p>12 Because the answer is based --</p> <p>13 MR. WISTOW: Okay. I accept the</p> <p>14 instruction.</p> <p>15 When I say I accept the instruction, I don't</p> <p>16 mean that I agree with it. I mean I don't want to fight</p> <p>17 about it.</p> <p>18 MR. ROCHON: I understand.</p> <p>19 MR. WISTOW: Okay.</p> <p>20 Q. It goes on to say that it ran counter to</p> <p>21 international law.</p> <p>22 Did you have any knowledge at the time of what</p> <p>23 international law was being referred to?</p> <p>24 MR. ROCHON: Same objection. Any knowledge</p> <p>25 would have been based on advice of counsel.</p>	<p style="text-align: right;">Page 120</p> <p>1 MR. ROCHON: Thank you.</p> <p>2 MR. WISTOW: (Indicating).</p> <p>3 MR. ROCHON: We should probably have it</p> <p>4 marked.</p> <p>5 MR. WISTOW: Well, all right.</p> <p>6 MR. ROCHON: I'm not insisting.</p> <p>7 MR. WISTOW: Let's not mark it now. I</p> <p>8 promise you we're going to get into it and we'll mark</p> <p>9 it.</p> <p>10 MR. ROCHON: Thank you.</p> <p>11 MR. WISTOW: Okay.</p> <p>12 (Witness peruses document.)</p> <p>13 MR. ROCHON: And the section that's quoted</p> <p>14 there, do you mind if I note where it is, counsel, in</p> <p>15 the letter?</p> <p>16 MR. WISTOW: No. I don't mind.</p> <p>17 MR. ROCHON: It's at the top of page 2 of</p> <p>18 the letter, Mr. Prime Minister.</p> <p>19 THE WITNESS: Top of page 2?</p> <p>20 MR. ROCHON: Yes. That paragraph</p> <p>21 (indicating).</p> <p>22 (Witness peruses document.)</p> <p>23 A. Okay.</p> <p>24 Q. Okay. Do you have my question in mind, or would</p> <p>25 you like me to repeat it?</p>
<p style="text-align: right;">Page 119</p> <p>1 Q. Then it says, And the laws of several foreign</p> <p>2 states in which the PNA operates.</p> <p>3 Did you have any knowledge which foreign states</p> <p>4 were being referred to?</p> <p>5 MR. ROCHON: Same objection, and the answer</p> <p>6 would be based on the advice of counsel.</p> <p>7 MR. WISTOW: Okay.</p> <p>8 Q. Now, you go on to say in your affidavit, I</p> <p>9 further explained to Secretary Rice my understanding at</p> <p>10 the time that the PNA's failure to "file an unqualified</p> <p>11 appearance in answer to Plaintiffs' complaint" had</p> <p>12 occurred in order to preserve our legal position both in</p> <p>13 the United States and overseas with respect to potential</p> <p>14 efforts by Plaintiffs to seek enforcement of the default</p> <p>15 judgment in other countries.</p> <p>16 Have I read that correctly?</p> <p>17 A. Yes, you have.</p> <p>18 Q. Okay. Now, do you know if anybody told you of</p> <p>19 any risks associated with taking that legal position?</p> <p>20 And I -- well, okay.</p> <p>21 (Witness peruses document.)</p> <p>22 MR. ROCHON: Counsel, could you show the</p> <p>23 witness the full letter that you're asking him about</p> <p>24 parts of it.</p> <p>25 MR. WISTOW: Sure.</p>	<p style="text-align: right;">Page 121</p> <p>1 A. You asked me if I recall if somebody told me what</p> <p>2 this is about in terms of implications.</p> <p>3 Q. If anybody ever told you there was any risk</p> <p>4 associated with the position set forth in the letter.</p> <p>5 That's what I'm asking you.</p> <p>6 A. All I can tell you is I must have had good reason</p> <p>7 to really include this. This is a June 18, 2005 letter,</p> <p>8 so I must have been aware of that risk at the time I</p> <p>9 sent that letter.</p> <p>10 Q. What risk?</p> <p>11 A. That you're referring to.</p> <p>12 Q. What am I referring to?</p> <p>13 A. In terms of why it is we acted the way we did,</p> <p>14 not filing an unqualified appearance before the Court.</p> <p>15 That's what I thought you asked.</p> <p>16 Q. Okay. Well, I'm glad you said that because you</p> <p>17 misunderstood me. It's my fault probably. I didn't ask</p> <p>18 the question very well.</p> <p>19 What I'm trying to find out is whether you</p> <p>20 understood that any risk was associated with taking that</p> <p>21 position with the Court.</p> <p>22 A. Any risk?</p> <p>23 Q. If anything bad could happen by taking that</p> <p>24 position. That's what I'm asking.</p> <p>25 A. But that's how I understood the question.</p>